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12 Attorneys for Plaintiff  
13 United States of America

15 UNITED STATES DISTRICT COURT  
16 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
17 WESTERN DIVISION

19 UNITED STATES OF AMERICA,

20 Plaintiff,

21 vs.

22 \$286,580 in Bank Funds,

23 Defendant.

24 JEFFREY MALINOVITZ and JASON  
25 BABADJOV,

26 Claimants;

27 GO GREEN HYDROPONICS, INC.,

28 Real Party in Interest.

No. CV 11-02040-JAK (AJWx)

CONSENT JUDGMENT OF FORFEITURE

JS-6

1 This action was filed on March 9, 2011. Notice was given and published in  
2 accordance with law. Claimants, JEFFREY MALINOVITZ and JASON BABADJOV,  
3 filed timely claims and Answers. Claimants are the owners, officers and directors  
4 of GO GREEN HYDROPONICS, INC. ("GO GREEN"), a corporation from whose  
5 account \$286,580 in Bank Funds (the "defendant funds") was seized.

6 Plaintiff and Claimants (who also intend to bind the interests of Go Green)  
7 have reached an agreement that is dispositive of the entire action. They hereby  
8 request that the Court enter the Consent Judgment of Forfeiture set forth below.

9 WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

10 1. This Court has jurisdiction over Plaintiff, the defendant funds,  
11 Claimants and the subject matter of this action.

12 2. Notice of this action has been given in accordance with law. All  
13 potential claimants to the defendant funds other than Claimants and Go Green  
14 are deemed to have admitted the allegations of the Complaint. The allegations  
15 set out in the Complaint are sufficient to establish a basis for forfeiture.

16 3. Except to the extent specified in paragraphs 4 and 7 below, the  
17 United States of America shall have judgment as to the defendant funds, plus its  
18 proportionate share of interest, and no other person or entity shall have any  
19 right, title or interest therein. The Department of Treasury is ordered to dispose  
20 of said assets in accordance with law.

21 4. \$86,580 of the defendant funds, plus interest on \$86,580, shall be  
22 paid jointly to Manny Medrano and Roger S. Rosen, attorneys for Claimants,  
23 within sixty (60) days after the date of the entry of this consent judgment. Upon  
24 giving written approval of this consent judgment, Claimants and their counsel  
25 shall provide, in writing, the information necessary for the government to make  
26 the payment called for herein in accordance with federal law.

27 5. Claimants and Go Green hereby release the United States of America,  
28 its agencies, agents, and officers, including employees and agents of the Internal

1 Revenue Service and of local or state law enforcement officers cross-designated  
2 as agents of the United States, from any and all claims, actions or liabilities  
3 arising out of or related to this action, including, without limitation, any claim for  
4 attorney's fees, costs or interest which may be asserted on behalf of Claimants,  
5 whether pursuant to 28 U.S.C. § 2465 or otherwise.

6 6. The court finds that there was reasonable cause for the seizure of the  
7 defendant funds and institution of these proceedings. This judgment shall be  
8 construed as a certificate of reasonable cause pursuant to 28 U.S.C. § 2465.

9 7. This consent judgment does not bar any criminal charges arising out  
10 of the same transaction or occurrence as alleged in the Complaint in this action,  
11 but the United States agrees that Claimants and Go Green shall have the right to  
12 reopen this Consent Judgment in the event that the United States does institute  
13 such charges. In that event, Claimants and Go Green will have the right to litigate  
14 the United States' right to the funds forfeited as provided in paragraph 3 hereof.

15 Dated: October 18, 2011

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17 

18 HON. JOHN A. KRONSTADT  
19 UNITED STATES DISTRICT JUDGE

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21  
22 Approved as to form and content:

23 Dated: October \_\_, 2011

24 ANDRÉ BIROTTE JR.  
25 United States Attorney  
26 ROBERT E. DUGDALE  
27 Assistant United States Attorney  
28 Chief, Criminal Division  
STEVEN R. WELK  
Assistant United States Attorney  
Chief, Asset Forfeiture Section



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By \_\_\_\_\_/s/\_\_\_\_\_  
DAVID A. LOMBARDEO

Special Asst. United States Attorney  
Asset Forfeiture Section  
Attorneys for Plaintiff  
United States of America

Dated: October \_\_, 2011

MEDRANO & CARLSON

By \_\_\_\_\_/s/\_\_\_\_\_  
MANNY MEDRANO  
Attorneys for Claimant Malinovitz

Dated: October \_\_, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
JEFFREY MALINOVITZ, Claimant

Dated: October \_\_, 2011

ROGER J. ROSEN

By \_\_\_\_\_/s/\_\_\_\_\_  
ROGER J. ROSEN  
Attorneys for Claimant Babadjov

Dated: October \_\_, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
JASON BABADJOV, Claimant